

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**  
**Washington, D.C.**

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MM Docket No.00-41
Table of Allotments,	)	RM-9369
FM Broadcast Stations.	)	
(Oakville, Raymond and South Bend	)	
Washington)	)	

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To: Chief, Policy and Rules Division

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**REPLY COMMENTS**

Jodesha Broadcasting, Inc. ("Jodesha"), by its attorney, hereby submits Replies to the "Comments in Opposition to Proposed Rulemaking" that were filed in this proceeding by 3 Cities, Inc. ("3 Cities") on May 3, 2000.

**I. Preliminary Statement**

At issue in this Rulemaking proceeding is whether the public interest would be served by making several interrelated changes in the FM channel allotments which would have the net effect of providing a first local transmission service to the incorporated community of Oakville, Washington, and substituting a Class A channel for a Class C2 channel at South Bend, Washington, without changing in any respect the existing transmission services provided by the two stations, KFMY, Raymond, Washington, and KJET, South Bend, Washington, whose cities of license would change if the rulemaking proposal were to be adopted. Despite the fact that no changes in existing transmission services are

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proposed, 3 Cities opposes the rulemaking proposal as the final step "in a multi-step process by Jodesha to move an allocation from its existing small town of Raymond . . . to a relocation approximately 25 miles closer to Olympia . . . as a *de facto* new station for that major city . . . ."

In its Opposition, 3 Cities, with total disregard for the facts, characterizes Jodesha's allotment proposals as "a scheme that resembles a house of cards more than a rulemaking," and claims that "the history of the existing station is illustrative and predictive of the fast and loose way that this *petitioner* has used his existing license for [the Raymond] station. . . ."

[Emphasis added]. To support these fanciful, one might even say "fast and loose," claims, 3 Cities summarizes what it claims to be *Jodesha's* history at filing applications. The problem with 3 Cities' portrayal of Jodesha as a "fast and loose" and "scheming" applicant is that, as 3 Cities must know from its research, Jodesha did not file any but the last of the applications that are referred to by 3 Cities. The Commission's records which 3 Cities surely consulted in compiling its history of applications reflect that Jodesha did not acquire Station KFMY until July 1997, long after the original Class C3 application for the station was granted, and after the subsequent application to upgrade the station to Class C2 was tendered. Jodesha did file

the recently granted application to upgrade KFMY to Class C1, but submits that filing a single application to upgrade a station to make the most efficient use of its frequency is not evidence of a "scheme" or "predictive" of any "fast and loose" use of an FCC authorization.

## **II. The Community Status of Oakville**

Central to 3 Cities' opposition is its claim that Oakville is not a community for allotment purposes. Attached hereto is a Declaration under Penalty of Perjury from Jodesha's President, William J. Wolfenbarger, which establishes beyond any doubt that Oakville has the combination of political, social and commercial organizations and services which make it a "community" that qualifies for an FM channel allocation. Mr. Wolfenbarger's Declaration also establishes that Oakville is not dependent upon Olympia, Washington, for local governmental or other services and is physically separated from the Olympia urbanized area by a forest which has the practical effect of making Oakville more distant in mileage and travel time from Olympia than it appears to be on a map.

## **III. No Need for a Tuck Showing**

3 Cities contends that because the reallocation of Channel 249C1 from Raymond to Oakville would result in moving the channel "approximately 25 miles closer to the major urban area of Olympia

to a location . . . not qualified as a community for allotment purposes," Jodesha is required "to submit a showing to rebut the presumption" established by *Huntington Broadcasting Co. v. FCC*, 192 F. 2d 33 (D.C. Cir. 1951) and *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) that the proposal is not to provide a first transmission service in Oakville, but rather is to establish an additional reception service in Olympia. 3 Cities' contention that a *Tuck* analysis is required is flawed in several fatal respects. First, as its claim that a *Tuck* analysis is required is predicated upon its assertion that the "location defined by Jodesha as Oakville [is] not qualified as a community for FCC allotment purposes," and as Jodesha has established herein that Oakville is fully qualified as a community for such purposes, by 3 Cities' own reasoning, *Tuck* is not applicable to this case.

Moreover, Oakville is not part of, or adjacent to, the Olympia urbanized area. As established by the Engineering Statement of Stephen S. Lockwood attached hereto, Oakville is situated approximately 22 kilometers, as the "crow flies," from the border of the Olympia urbanized area. The Commission clearly stated in *Tuck* that

a party seeking to have us apply [the *Huntington* doctrine] to a community outside the Urbanized Area must affirmatively show that there is a sufficient dependence on the central city to support a public interest finding that the given community's local

transmission needs can be adequately satisfied by stations licensed to other communities within the larger metropolitan area.

3 FCC Rcd 5374 at ¶49. Notwithstanding the fact that *Tuck* places the burden of making an affirmative showing that Oakville is dependent upon Olympia in order to establish a presumption that the proposal at issue in this case should be treated as one for a new reception service in Olympia rather than a first local transmission service in Oakville, 3 Cities offers no information whatsoever to indicate that Oakville is dependent upon Olympia for governmental services or in any other respect.<sup>1</sup> The obvious explanation for this omission on 3 Cities' part is that Oakville is not dependent upon Olympia in any respect, but rather, as established by Mr. Wolfenbarger's declaration, depends on its own local government for many governmental services including administration, courts, police, and recreation and receives those public services that it does not provide for itself from agencies of Grays Harbor County.

Additionally, it is significant that while a station operating on Channel 249C1 from the Oakville reference site would provide city grade coverage to a portion of the Olympia urbanized

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<sup>1</sup>What is odd is not that the Commission stated in the NPRM in this case that *Tuck* is not applicable, but that 3 Cities counsel would contend while citing *Tuck* as though he had actually read and understood the holding in the case that the burden is on Jodesha to establish that Oakville is not dependent upon Olympia.

area, the city grade coverage of the Olympia urbanized area that would result from a station operating from the Oakville reference point (61%) is 21% less than the city grade coverage of the Olympia urbanized area that is currently provided by KFMV operating from existing permitted site as a Raymond, Washington, station.<sup>2</sup> Since no additional "reception service" would be added to the Olympia urbanized area if the 249C1 allotment were moved from Raymond to Oakville as proposed, and since a station operating on Channel 249C1 from the Oakville allotment would provide substantially less city grade coverage to the Olympia urbanized area than is currently provided by Station KFMV, it is ludicrous for 3 Cities to contend that the instant rulemaking proposal raises a presumption that Jodesha is seeking to provide an additional reception service in Olympia rather than a local transmission service to Oakville.

#### **IV. Removal of Existing Service From South Bend**

While 3 Cities correctly points out that the Commission has held that replacing an existing station at a community with a vacant allotment is not, in and of itself, sufficient to outweigh

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<sup>2</sup>Consistent with its use of hyperbole rather than facts to make its point, the map purporting to show that a Class C1 station operating from the Oakville reference point would provide service to all of the Olympia urbanized area that 3 Cities submitted with its opposition failed to identify the level of service (signal strength) represented by the circle drawn on the map.

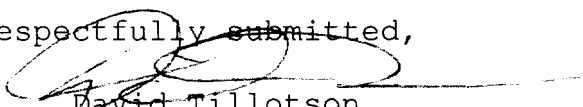
the "expectation of continued service" resulting from the relocation of an operating station, the very case that 3 Cities cites for this proposition also clearly states that replacement of the removed service with a vacant allotment is "a factor to be considered" in weighing the public interest pros and cons of an allotment proposal. In this case, the public interest benefit which, combined with the fact that the removed service will be replaced with a vacant allotment, tips the public interest balance in favor of adoption of the allotment changes proposed in this proceeding is the fact that a new local transmission service will be provided to the growing community of Oakville, thereby putting Oakville on an equal footing with the other eight incorporated cities in Grays Harbor County as well as the four incorporated cities in adjacent Pacific County in terms of local aural transmission service. See Declaration of William J. Wolfenbarger. Additionally, as set out in Mr. Wolfenbarger's attached Declaration, not only is Jodesha committed to filing an application for the new channel that is proposed for South Bend and promptly constructing a station on that channel if its application is granted, Jodesha is also willing to delay implementing the proposed changes in the communities of license of KFMV and KJET until the new South Bend station, whether awarded to Jodesha or to another applicant, is operational,

thereby ensuring that there will be no interruption in local transmission service in South Bend.

**V. Summary**

In summation, Jodesha has established beyond question herein that Oakville is a community which qualifies for its own FM allotment and that Oakville is not part of or adjacent to the Olympia and is not dependent upon Olympia for governmental or other services. Jodesha has further shown that adoption of the proposed allotment changes will not result in any interruption of local transmission service in South Bend. Accordingly, as adoption of the FM allotment changes proposed in this proceeding will bring a first local transmission service to Oakville, will not result in the loss or interruption of any local transmission service, will not change any existing reception services and will add a reception service in the South Bend area, adoption of the proposed changes clearly will serve the public interest.

Respectfully submitted,

  
David Tillotson  
4606 Charleston, Terrace, N.W.  
Washington, DC 20007  
Tel: 202/625-6241

**Attorney for Jodesha Broadcasting,  
Inc.**

Date: May 18, 2000



## DECLARATION OF WILLIAM J. WOLFENBARGER

William J. Wolfenbarger, states under penalty of perjury as follows:

1. I am the President of Jodesha Broadcasting, Inc.

2. In response to the allegations of 3 Cities, Inc. that the community of Oakville, Washington, does not have sufficient attributes of a community to be allotted an FM channel, I personally gathered information regarding the governmental structure, social and community services, business, schools, and other characteristics of Oakville, which information is set out below and in attachments hereto:

a. Oakville is located on Highway 12 in eastern Grays Harbor County, is named for the prevalence of white oaks in the area. Oakville was incorporated in 1905, and operates under a mayor-council form of government, with five council members. The current mayor is Bernard Meile. The City of Oakville provides water service to residents of Oakville, has a public works department, has its own local police department with a Chief and two officers, and maintains a local park, the Alfred "AL" J. Brant Municipal Park, located near City Hall. Local fire services are provided by the Grays Harbor County Fire District #1, a volunteer fire service.

b. The City of Oakville is one of eight incorporated cities in Grays Harbor County which are members of the sixteen member Grays Harbor Council of Governments (a ninth city, Aberdeen, is not a member of the Council). Council of Governments activities include economic development, recreation, social services, transportation, geography, and environment. The incorporated cities that are members of the Council of Governments are:

Cosmopolis  
Elma  
Hoquiam  
McCleary  
Montesano  
Oakville  
Ocean Shores  
Westport

The eight other governmental entities that are members of the Council of Governments are:

Elma School District  
Grays Harbor County  
Grays Harbor Public Utility District  
Grays Harbor Transit  
Port of Grays Harbor  
Public Development Authority  
Quinault Indian Nation

### Timberland Regional Library

c. The initial 1990 U.S. Census of Population and Housing shows Oakville as having 493 residents. However, the 1990 figure was subsequently adjusted by the Census to show that Oakville had 529 residents in 1990. As nine years had passed since the 1990 Census at the time Jodesha filed its petition for rulemaking, in the petition Jodesha used more current population information that it obtained from the State of Washington Office of Financial Management, Forecasting Division. See Exhibit A. This more current information, which is used by the State for the allocation, of revenues, lists the population of Oakville on April 1 of each year in the 1990s subsequent to the Census year as follows:

Year	Population
1991	608
1992	616
1993	632
1994	655
1995	665
1996	665
1997	665 * used in petition for rulemaking
1998	670
1999	670

Population Gain      From 1990 Census to 1999 = 35.9%  
                                 1990 as Adjusted to 1999 = 26.6%

d. Oakville has its own Public School District, District # 400, which is one of the 13 Public School Districts in Grays Harbor County. The school complex includes Oakville Elementary School, Middle School, and Oakville High School. Oakville Public School District also maintains park and public recreation facilities near the school, including baseball and basketball.

e. Each of the incorporated cities in Grays Harbor County, including Oakville, has its own municipal court.

f. Oakville has its own local post office and postal service to residents within the Oakville City limits is provided by post office box. There are currently approximately 550 boxes rented. In addition, there is a rural route serving the area outside the city limits; this route is approximately 105 miles long.

g. The following businesses, most of which are situated on Pine Street, are located in Oakville:

Sterling Savings Bank  
Jag's Restaurant  
Harry's Grocery  
All West Glass  
Texaco gas station  
Stacy's Place Beauty Salon  
General Store  
The Wood Pellet Company  
Oakville Hardware  
Carmas Emporia & Ponytails Hair Design  
Two antique stores  
The Only Tavern  
Brooklyn's Variety Store (new)  
Hometown Works Shop/Computer Graphics  
Broughton's Collision Center  
Hamilton Alternator Service  
Sheila's Café  
D. J. Blake's Construction  
Capitol Ridge Quarry  
Destefano's Espresso  
The Taxman – tax preparation service  
Zepp-Lock Storage  
Oakville Forest Products

Oakville Hardware was built in 1890 and has been in business in Oakville since that time. Oakville Forest Products has been operated in Oakville by the Basler family since 1956. The local businesses in Oakville, Washington are supported primarily by the residents of Oakville and surrounding unincorporated areas of Grays Harbor County. Oakville does not have any "chain" stores.

h. The following churches are located in Oakville:

Oakville United Methodist Church	State & Harris, Oakville, WA
Assembly of God Church	114 West Cedar, Oakville, WA
First Baptist Church of Oakville	204 W. Main St, Oakville, WA

A fourth church, Church of the Living Water, will be opening soon in Oakville.

i. Civic organizations and clubs active in Oakville include:

The Oakville Chamber of Commerce  
The Oakville PTA

The Oakville 4H Clubs which participate annually in the Gray Harbor County Fair  
American Legion Hyder-Hall Post #18

j. Oakville not only is not adjacent to the Olympia urbanized area, but it is in a different county than Olympia and is separated from Olympia by the Capitol State Forest, which makes the driving distance from Olympia to Oakville more than 30 miles, the last 15 of which are via US 12, a two lane country road. Locally, Oakville is not identified with Olympia, but rather, is referred to as "East County" which in local parlance refers generally to the Elma/ McCleary/Oakville area.

k. The following are scheduled annual events that take place in the city of Oakville:

April

All Charities Auction

May

Sidewalk and Yard Sale

June-July

Oakville Heritage Parade

Old Fashioned 4<sup>th</sup> of July

Black Hills Wranglers NPRA Rodeo

September

Zucchini Jubilee & Rod Run

December

Christmas Tree Lighting & Caroling

l. Oakville does not have either a daily or weekly newspaper, but it does have a locally-owned and operated magazine-style publication, published monthly, *The Oakville Cruiser*. A typical issue of *The Oakville Cruiser* contains virtually-all Oakville local advertising, a little from nearby Rochester, and perhaps an Elma or Aberdeen. There are no Olympia or Olympia-area advertisers in *The Oakville Cruiser*.

m. Cable TV for Grays Harbor County and Pacific County is provided by AT&T Cable Services. AT&T maintain an office in Aberdeen to provide service to its Grays Harbor & Pacific County customers.

n. A public library, the Oakville Timberland Library, a branch of a the Timberland Regional Library, is located on Main Street in Oakville.

3. Adoption of the allotment changes proposed by Jodesha in this rulemaking

proceeding would, among other public interest benefits, put Oakville on an equal footing with the eight other incorporated communities in Grays Harbor County and the four incorporated communities in neighboring Pacific County in terms of local transmission service. Of the nine incorporated cities in Grays Harbor County, Aberdeen, Elma, Hoquiam, and McCleary have at least one local radio service and Westport and Ocean Shores have each been allotted an FM channel. An NPRM has been issued to provide an FM allotment for Montesano, and an application has been made by Morris Communications to move an AM service from Hoquiam to Cosmopolis. All four incorporated cities in Pacific County which include Raymond and South Bend, two of the communities involved in this rulemaking proceeding, plus Ilwaco and Long Beach have existing local transmission service.

4. If proposals for changes in the FM allotments at Raymond, South Bend and Oakville, Washington, that are the subject of this proceeding are adopted, Jodesha will file an application for the new Class A channel proposed for South Bend and will promptly construct a station on that channel if its application is granted. Additionally, so as to ensure that there will be no interruption in local transmission service in South Bend, Jodesha will not implement the changes in the existing allotments for South Bend and Raymond until the station authorized on the new South Bend allotment is operational unless, due to delay in a third party constructing that station, Jodesha is required to implement the other two allotment changes in order to preserve its construction permits for those changes.



William J. Wolfenbarger

Date: May 16, 2000

**April 1 Population of Cities, Towns, and Counties  
Used for the Allocation of Designated State Revenues  
State of Washington**

*Caution: Annual change may not be valid due to corrections and data changes. Estimates for individual years may not be comparable. Estimates in this series are not revised based on information that becomes available after the estimate date. Evaluate growth by looking at the growth between the last census and most current estimate.*

County Municipality	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Douglas	26,205	27,500	27,900	28,500	29,300	29,600	30,400	30,800	31,400	31,700
Unincorporated	19,958	19,997	20,280	20,702	21,391	20,746	21,067	21,176	21,650	21,855
Incorporated	6,247	7,503	7,620	7,798	7,909	8,854	9,333	9,624	9,750	9,845
Bridgeport	1,498	1,510	1,575	1,640	1,705	1,725	2,053 *	2,060	2,100	2,125
Coulee Dam part	218 *	203 *	210 *	218 #	209 #	209 #	210	210	210	210
East Wenatchee	2,701	3,910	3,920	3,970	4,010	4,850	4,975	5,245	5,320	5,395
Mansfield	311	340	360	365	365	370	375	375	380	365
Rock Island	524	530	540	550	555	585	600	625	620	630
Waterville	995	1,010	1,015	1,055	1,065	1,115	1,120	1,109 *	1,120	1,120
Ferry	6,295	6,500	6,700	6,900	7,000	7,100	7,200	7,300	7,300	7,300
Unincorporated	5,355	5,470	5,660	5,845	5,920	6,000	6,164	6,260	6,260	6,260
Incorporated	940	1,030	1,040	1,055	1,080	1,100	1,036	1,040	1,040	1,040
Republic	940	1,030 *	1,040	1,055	1,080	1,100	1,036 *	1,040	1,040	1,040
Franklin	37,473	38,600	39,200	41,100	42,900	44,000	43,700	43,900	44,400	45,100
Unincorporated	14,712	15,500	15,820	16,840	17,575	18,270	18,067	15,215	14,843	15,030
Incorporated	22,761	23,100	23,380	24,260	25,325	25,730	25,633	28,685	29,557	30,070
Connell	2,005	2,015	2,040	2,375	2,640	2,690	2,634 *	2,750	2,780	2,800
Kahlotus	167	175	185	200	200	215	232 +	215	257 +	245
Mesa	252	250	315 *	315	315	325	397 *	420	430	425
Pasco	20,337	20,660	20,840	21,370	22,170	22,500	22,370	25,300	26,090	26,600
Garfield	2,248	2,300	2,300	2,300	2,350	2,350	2,400	2,400	2,400	2,400
Unincorporated	855	886	885	865	890	885	925	955	955	955
Incorporated	1,393	1,414	1,415	1,435	1,460	1,465	1,475	1,445	1,445	1,445
Pomeroy	1,393	1,414 *	1,415	1,435	1,460	1,465	1,475	1,445	1,445	1,445
Grant	54,798 \$	56,440 \$	58,240 \$	60,300	62,200	64,500	66,400	68,300	69,400	70,600
Unincorporated	26,406	27,761	28,946	30,456	31,322	32,405	33,037	34,455	34,740	35,189
Incorporated	28,392	28,679	29,294	29,844	30,878	32,095	33,363	33,845	34,660	35,411
Coulee City	568	561 #	598 *	622 #	612 #	630 *	630 #	625	630	579 *
Coulee Dam part	3 *	3 *	2 *	2 #	2 #	2 #	2	3 +	3	3 +
Electric City	910	915	915	915	945	960	970	975	975	985
Ephrata	5,349	5,380	5,430	5,550	5,585	5,715	5,910	5,945	6,065	6,085
George	324 *	314 +	327 +	336 +	365	438 +	492 +	460	465	478 +
Grand Coulee	984	985	1,010	1,018 #	1,045	1,075	1,090	1,105	1,215	1,235
Hartline	176	175	175	180	185	185	185	185	185	180
Krupp	53	55	67 +	60	65	60 +	60	53 +	51 +	56 +
Mattawa	941	950	1,180	1,310	1,535	1,685	1,760	1,820	1,820	1,870
Moses Lake	11,235	11,420	11,530	11,700	12,190	12,490	13,130	13,330	13,710	14,190
Quincy	3,734 \$	3,756 \$	3,776 \$	3,810	3,860	3,925	3,990	4,030	4,090	4,120
Royal City	1,104	1,105	1,130	1,145	1,200	1,466 *	1,500	1,540	1,580	1,600
Soap Lake	1,203 \$	1,215	1,270	1,260	1,300	1,320	1,340	1,370	1,370	1,484 +
Warden	1,639	1,655	1,685	1,710	1,765	1,910	2,090	2,190	2,280	2,315
Wilson Creek	169 \$	190 #	199 #	226 #	224 #	234 #	214 #	214 #	221 #	231 *
Grays Harbor	64,175	65,100	65,400	66,500	67,400	67,700	68,200	68,300	67,900	67,700
Unincorporated	25,000	25,673	25,815	26,246	26,923	26,930	27,050	26,925	26,625	26,525
Incorporated	39,175	39,427	39,585	40,254	40,477	40,770	41,150	41,375	41,275	41,175
Aberdeen	16,565	16,660	16,630	16,665	16,750	16,700	16,700	16,690	16,610	16,420
Cosmopolis	1,372	1,370	1,372	1,375	1,377	1,495	1,515	1,535	1,540	1,555
Elma	3,011	3,000	3,005	3,011	2,840	2,855	2,945	3,015	3,045	3,045
Hoquiam	8,972	8,970	8,970	8,970	8,940	9,015	9,020	9,035	8,995	8,995
McCleary	1,473 \$	1,473 \$	1,498	1,501	1,510	1,525	1,540	1,555	1,560	1,565
Montesano	3,060 \$	3,056 \$	3,081 \$	3,510	3,520	3,530	3,640	3,610	3,555	3,580
Oakville	529 \$	608 #	616	632	655	665 +	665 +	665	670	670
Ocean Shores	2,301	2,400	2,493	2,620	2,830	2,930	3,055	3,180	3,220	3,270
Westport	1,892	1,890	1,920	1,970	2,055	2,055	2,070	2,090	2,080	2,075
Island	60,195	62,700	64,800	66,500	67,900	68,900	70,300	71,600	72,500	73,300
Unincorporated	40,797	42,500	44,065	45,125	46,394	47,145	48,120	48,710	49,265	49,735
Incorporated	19,398	20,200	20,735	21,375	21,506	21,755	22,180	22,890	23,235	23,565
Coupeville	1,377	1,450	1,490	1,510	1,540	1,575	1,605	1,610	1,630	1,640
Langley	845	860	905	935	966	1,020	1,045	1,090	1,095	1,095
Oak Harbor	17,176	17,890	18,340	18,930	19,000	19,160	19,530	20,190	20,510	20,830

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**Engineering Statement**

This Engineering Statement has been prepared on behalf of Jodesha Broadcasting, Inc., licensee of KFMY Channel 249C1, as a part of its reply comments in MM Docket No. 00-41.

The attached map exhibit depicts the relationship between the Olympia Urbanized Area and the Channel 249C1 70 dBu contours, both from the authorized KFMY site and from the proposed Oakville allotment site.

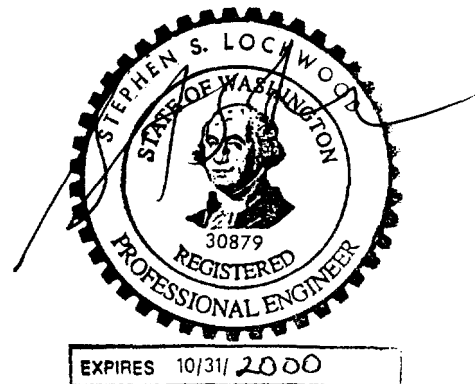
The 70 dBu contour from the proposed Oakville allotment site encompasses 61% of the Olympia Urbanized Area, and none of the Tacoma Urbanized Area. However, the 70 dBu contour from the authorized KFMY operation on Minot Peak (FCC File No. BPH-970923IE) encompasses fully 82% of the Olympia Urbanized Area, 21% more than the 70 dBu contour from the proposed allotment site.

This map also depicts the location of the City of Oakville with respect to the Olympia Urbanized Area. Oakville is not located within or adjacent to the Olympia Urbanized Area, and is in fact located within a different county. The City of Oakville is located in Grays Harbor County, whereas all of the Olympia Urbanized Area is located within Thurston County.

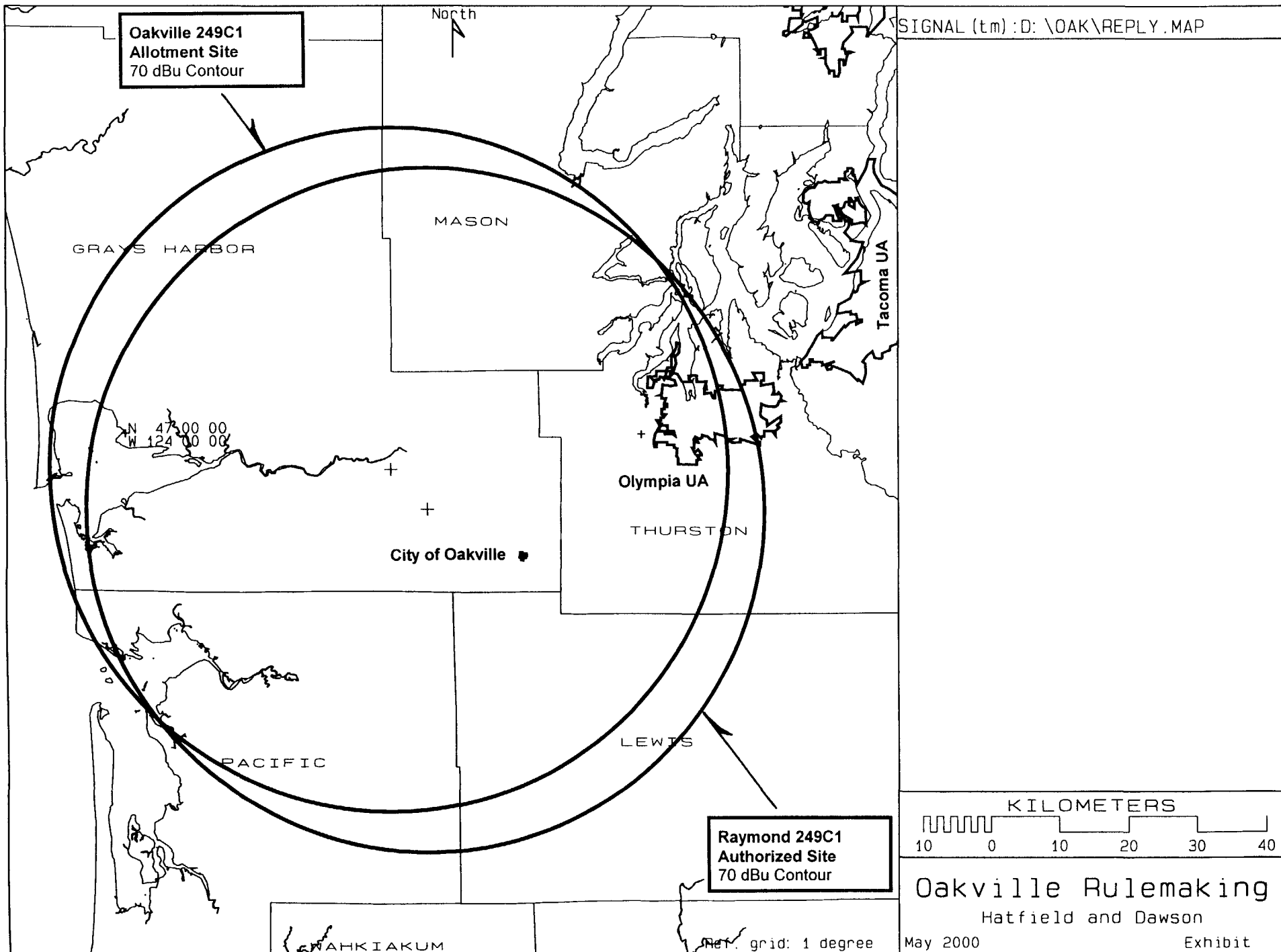
**Certification**

This Engineering Statement in support of reply comments in MM Docket No. 00-41 has been prepared on behalf of Jodesha Broadcasting, Inc. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and Alaska.

Signed this 11<sup>th</sup> day of May, 2000.



Stephen S. Lockwood, P.E.





CERTIFICATE OF SERVICE

I, David Tillotson, do hereby certify that a copy of the foregoing Reply Comments have been sent via first class United States mail, postage pre-paid, this 18th day of May, 2000, to:

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David Tillotson